

Message

From: Dolley Madison [fedsoc@fed-soc.ccsend.com]
on behalf of Dolley Madison [dolley@fedsoc.org]
Sent: 4/23/2018 2:47:22 PM
To: Woods, Clint [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=bc65010f5c2e48f4bc2aa050db50d198-Woods, Clint]
Subject: Teleforum Calls This Week -- April 23, 2018



April 23, 2018



TELEFORUM

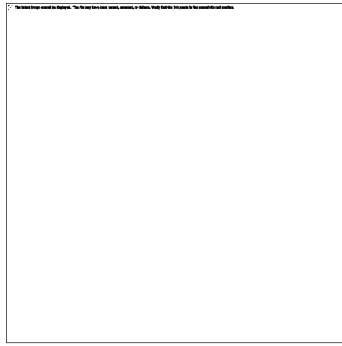
Teleforum Calls This Week

Dial 888-752-3232 to Participate

Courthouse Steps: *Lucia v. SEC*

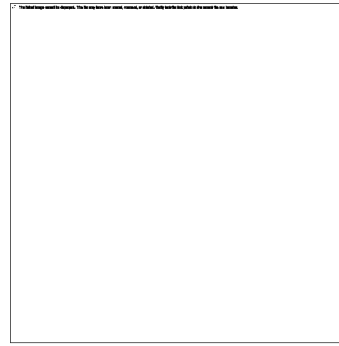
Litigation and Administrative Law Practice Groups Teleforum

Monday, April 23, 2018 | 3:00 p.m. ET



Prof. Gregory Dolin

Co-director of the Center for Medicine
and Law
University of Baltimore School of Law



Kevin B. Muhlendorf

Partner
Wiley Rein LLP

In *Lucia v. SEC*, the SEC fined the petitioner Raymond J. Lucia \$300,000 and barred him from working as an investment advisor for anti-fraud violations of the anti-fraud provisions of the Investment Advisers Act. The petitioner requested SEC review, arguing that the administrative proceedings were invalid, as the administrative law judge (ALJ) who decided his case was unconstitutionally appointed. ALJs are appointed by SEC staff in a manner that Lucia claimed violated the Appointments Clause under Article II, Section 2, Clause 2 of the Constitution. When the SEC ruled against Lucia, he appealed to the D.C. Circuit which denied the petition for review by a divided court, issuing a new decision affirming the SEC's decision as required under D.C. Circuit Rule 35(d).

Kevin Muhlendorf of Wiley Rein and Professor Gregory Dolin of the University of Baltimore School of Law will join us to give their impressions of the oral argument of this important case.

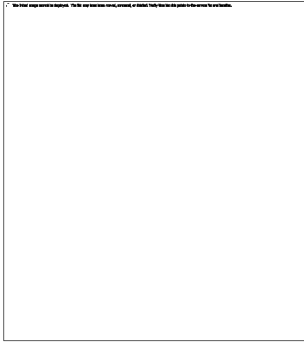
Analyzing how EPA is Addressing "Secret Science"

Regulator Transparency Project Teleforum

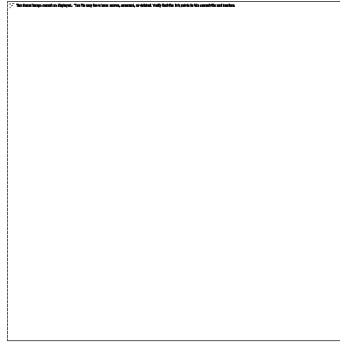
Tuesday, April 24, 2018

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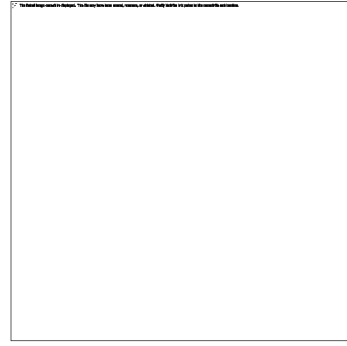
12:00 noon ET



Daren Bakst
Senior Research Fellow in
Agricultural Policy
The Heritage Foundation



Dr. Richard B. Belzer
Associate Fellow
R Street Institute



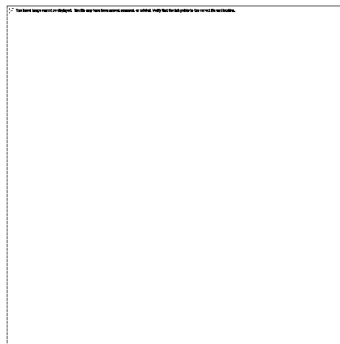
Moderator:
Devon Westhill
Director
Regulatory
Transparency Project

EPA Administrator Scott Pruitt announced that his agency would no longer allow the use of "secret science" in developing federal regulations. Specifically, the agency will only use scientific studies to develop regulations when the data and methodology for those studies are made accessible to the public. Is there really a secret science or transparency problem that even needs to be addressed? If so, have there been attempts historically to correct the problem? What are the implications of excluding such studies? This presentation will provide background on this effort and discuss how transparency in government can be strengthened and better inform policymaking.

Courthouse Steps: *Trump v. Hawaii*

International & National Security Law Practice Group Teleforum

Wednesday, April 25, 2018 | 3:00 p.m. ET



Steven Giaier
Senior Counsel
House Committee on Homeland Security

On April 25, the Supreme Court will hear oral argument in *Trump v. Hawaii*, the latest iteration of Hawaii's challenge to President Trump's Executive Order suspending immigrant and nonimmigrant entry into the country by citizens of specific countries. While the original order banned entry of citizens from seven majority Muslim countries, it was superseded by the current order which affects citizens from other countries as well, such as Chad, North Korea and Venezuela. Steve Giaier attended oral argument and will join us to share his observations.

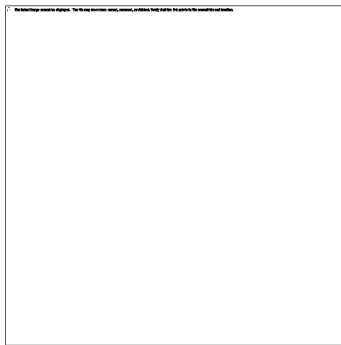
The Struggle to Rein In Shareholder Activism

Corporations, Securities & Antitrust Teleforum

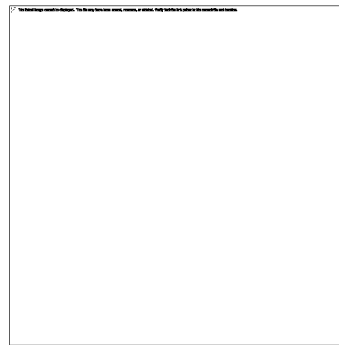
Thursday, April 26, 2018

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2:00 p.m. ET



Jason A. Levine
Litigation Partner
Vinson & Elkins LLP



Lawrence Elbaum
Litigation Counsel
Vinson & Elkins LLP

For over a decade, shareholder activism has been on the rise, affecting an increasing number of publicly-traded companies. Essentially a re-brand of the 1980s-era "corporate raiders," today's activists are primarily institutional shareholders that seek to profit by forcing change at companies - whether by seeking board seats, pursuing managerial purges, or effectuating transactions for short-term gain. Shareholder activism is a battle for corporate control, accomplished largely through proxy fights and publicity campaigns. This Teleforum will provide an overview of the shareholder activism landscape, strategies and counter strategies to protect against activist tactics, and will assess the prospect for legal reforms intended to stem the flow of activist campaigns.

Courthouse Steps: *Animal Science Products v. Hebei Welcome Pharmaceutical*

Litigation Practice Group Teleforum

Friday, April 27, 2018 | 2:00 p.m. ET



John Shu

Attorney and Legal Commentator

Animal Science Products, a U.S. company, sued Hebei Welsome Pharmaceutical Co., a Chinese company, for violating U.S. antitrust laws by coordinating prices and artificially decreasing supply. Hebei moved to dismiss the case, stating that they were acting according to Chinese law. The district court denied the dismissal, and the jury trial found in favor of Animal Science Products, ordering Hebei to pay them \$147 million in damages.

Hebei appealed, and the circuit court reversed the district court's denial to dismiss. The circuit court reasoned that the district court had erred in not deferring to the Chinese government's interpretations of its laws, as the Chinese government had appeared in court to defend Hebei's actions.

John Shu will join us to discuss his perceptions of the oral argument in this important case.

Previously Recorded Calls

Antitrust Enforcement by State Attorney Generals

**Corporations, Securities & Antitrust and Financial Services & E-Commerce
Practice Group Teleforum**

State Attorneys General often investigate antitrust violations - ranging from price fixing to anticompetitive mergers - in conjunction with the federal antitrust enforcement agencies (the U.S. Department of Justice and the Federal Trade Commission). But recently the nation's AGs have more frequently taken the lead, conducting their own investigations and initiating independent enforcement actions. Are these examples of state AGs merely utilizing their own statutory authority to protect their constituents? Are they filling a vacuum when federal authorities choose not to act? Or are they becoming the equivalent of national regulators? An experienced panel of antitrust practitioners and representatives from state AG offices will share their perspectives on the impact of increased antitrust enforcement by the state AGs and what businesses and their counsel need to understand about it.

[Listen]

The Role of Congressional Intelligence Committees

International & National Security Law Practice Groups and Article I Initiative Teleforum

Former Minority Staff Director and General Counsel for the House Permanent Select Committee on Intelligence Michael Bahar, Former General Counsel Michael Geffroy of the U.S. Senate Select Committee on Intelligence, and Former Minority Staff Director for the House Permanent Select Committee on Intelligence Heather Molino will join us to discuss the role of Congressional Intelligence Committees. How well are they able to discharge their duties in the present environment? Has the Russian investigation impeded their functionality? Are they able to provide effective oversight? What could be improved?

[Listen]

Preview: *Trump v. Hawaii*

International & National Security Law Practice Group Teleforum

On April 25, the Supreme Court will hear oral argument in *Trump v. Hawaii*, the latest iteration of Hawaii's challenge to President Trump's Executive Order suspending immigrant and nonimmigrant entry into the country by citizens of specific countries. While the original order banned entry of citizens from seven majority Muslim countries, it was superseded by the current order which affects citizens from other countries as well, such as Chad, North Korea and Venezuela. Ilya Somin and Josh Blackman will join us to preview the case.

[Listen]

Tenth Anniversary of *Heller*

Criminal Law & Procedure Practice Group Teleforum

This year marks the tenth anniversary of *Heller v. District of Columbia*. Before *Heller*, courts had split on whether the Second Amendment recognized an individual right to keep and bear arms or if that right was limited only to those citizens participating in organized militias. Justice Antonin Scalia, writing for the majority, held that the Second Amendment recognized a right of individuals to keep and bear arms for private self-defense. In the wake of *Heller*, most lower courts have rejected Second Amendment challenges to state and federal gun control laws. The decision, however, left many questions unanswered concerning the scope of the Second Amendment.

In this Teleforum, Professors Nelson Lund and Darrell Miller will debate the original meaning of the Second Amendment, whether *Heller* was correctly

decided, whether lower courts are faithfully applying *Heller*, and how *Heller* might apply to future legislation regarding the right to keep and bear arms.

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